

**AUSTIN CITY COUNCIL
MINUTES****REGULAR MEETING
THURSDAY, MAY 23, 2013**

Invocation: Retired Army Brigadier General, Dr. Charles Edwards, US Department of Defense Ministry Chaplain for the Texas Army National Guard

The following represents the actions taken by the Austin City Council in the order they occurred during the meeting. While the minutes are not in sequential order, all agenda items were discussed. The City Council of Austin, Texas, convened in a regular meeting on Thursday, May 23, 2013 in the Council Chambers of City Hall, 301 West Second Street, Austin, Texas.

Mayor Leffingwell called the Council Meeting to order at 10:42 a.m.

CONSENT AGENDA

The following items were acted on by one motion.

1. Approve the minutes of the Austin City Council work session of May 7, 2013 and regular meeting of May 9, 2013.
The minutes from the City Council work session of May 7, 2013 and regular meeting of May 9, 2013 were approved on consent on Mayor Pro Tem Cole's motion, Council Member Spelman's second on a 7-0 vote.
2. Approve an ordinance amending City Code Chapter 15-9 regarding utility service, billing and adjustments, and administrative reviews and hearings.
This item was postponed on consent to June 20, 2013 on Mayor Pro Tem Cole's motion, Council Member Spelman's second on a 7-0 vote.
3. Approve an ordinance amending the Fiscal Year 2012-2013 Capital Budget of Austin Energy (Ordinance No. 20120910-002) to increase appropriations by \$7,000,000 for the Holly Street Power Plant Decommissioning Project and amending the Fiscal Year 2012-2013 Operating Budget of Austin Energy (Ordinance No. 20120910-001) to increase the transfers out by \$7,000,000 for the Holly Street Power Plant decommissioning account and decrease the Austin Energy Operating Fund ending balance by \$7,000,000. May 20, 2013 – Unanimously approved by the Electric Utility Commission on a vote of 7-0. Related to Item #14.
Ordinance No. 20130523-003 was approved on consent on Mayor Pro Tem Cole's motion, Council Member Spelman's second on a 7-0 vote.
4. Authorize recurring exempted procurements (Advertising) under Local Government Code Chapter 252 for expenditures to conduct routine City of Austin business with multiple agencies and vendors in separate amounts not to exceed totals listed below and a total expenditure amount not to exceed \$155,000.

The motion authorizing a recurring exempted procurements (advertising) was approved on consent on Mayor Pro Tem Cole's motion, Council Member Spelman's second on a 7-0 vote.

5. Approve Service Extension Request No. 3151 for water service to a 37 acre tract at 9300 W SH 71, located within the Drinking Water Protection Zone and partially in the City's 2-mile extraterritorial jurisdiction and corporate limits. Related to Item #6.
This item was postponed on consent to June 6, 2013 on Mayor Pro Tem Cole's motion, Council Member Spelman's second on a 7-0 vote.
6. Approve Service Extension Request No. 3152 for wastewater service to a 37 acre tract at 9300 W SH 71, located within the Drinking Water Protection Zone and partially in the City's 2-mile extraterritorial jurisdiction and corporate limits. Related to Item #5.
This item was postponed on consent to June 6, 2013 on Mayor Pro Tem Cole's motion, Council Member Spelman's second on a 7-0 vote.
7. Authorize the negotiation and execution of Amendment No. 1 to an Interlocal Agreement between the City of Austin and the Capital Area Council of Governments (CAPCOG) for the City's services related to the enhanced 9-1-1 emergency telephone system and maintenance of the 9-1-1 database on a county-wide basis to increase the 12-month renewal option reimbursement of \$330,414 by the amount of \$105,104, for a total renewal option reimbursement amount not to exceed \$435,518 and for a total contract reimbursement due from CAPCOG to the City in an amount not to exceed \$765,932.
The motion authorizing the negotiation and execution of amendment number one to an interlocal agreement between the City of Austin and the Capital Area Council of Governments (CAPCOG) was approved on consent on Mayor Pro Tem Cole's motion, Council Member Spelman's second on a 7-0 vote.
8. Authorize negotiation and execution of a professional services agreement with CDM SMITH INC. AUSTIN, TX (staff recommendation) or one of the other qualified responders to RFQ Solicitation No. CLMP124, to provide engineering services for the North Austin Reservoir and Pump Station Improvements in an amount not to exceed \$3,000,000. (Notes: This contract will be awarded in compliance with City Code Chapter 2-9B (Minority Owned and Women Owned Business Enterprise Procurement Program) by meeting the goals with 15.00% MBE and 21.00% WBE subconsultant participation.)
The motion authorizing the negotiation and execution of a professional services agreement with CDM Smith Inc. was approved on consent on Mayor Pro Tem Cole's motion, Council Member Spelman's second on a 7-0 vote.
9. Authorize execution of a construction contract with LAUGHLIN-THYSSEN, INC, for the Pemberton Heights Water Rehab Phase 3 Project in the amount of \$6,965,608, plus a \$348,281 contingency fee, for a total contract amount not to exceed \$7,313,889. (Notes: This contract will be awarded in compliance with City Code Chapter 2-9A (Minority Owned and Women Owned Business Enterprise Procurement Program) by meeting the goals with 15.61% MBE and 2.15% WBE participation.)
The motion authorizing the execution of a construction contract with Laughlin-Thyssen, Inc. was approved on consent on Mayor Pro Tem Cole's motion, Council Member Spelman's second on a 7-0 vote.
10. Authorize execution of a construction contract with AUSTIN FILTER SYSTEMS, INC. for Williamson Creek Tributary 2 Stream Bank Rehabilitation in the amount of \$1,768,127, plus a \$176,813 contingency fee, for a total contract amount not to exceed \$1,944,940. (Notes: This contract will be awarded in compliance with City Code Chapter 2-9A (Minority Owned and Women Owned Business Enterprise Procurement Program) by meeting the goals with 27.13% MBE and 7.03% WBE subcontractor participation.)

The motion authorizing the execution of a construction contract with Austin Filter Systems, Inc. was approved on consent on Mayor Pro Tem Cole's motion, Council Member Spelman's second on a 7-0 vote.

11. Authorize execution of a construction contract with LAUGHLIN-THYSSEN, INC, for the Shoal Creek - Ridgelea Storm Drain Improvements Project in an amount not to exceed \$3,845,409.20, plus a \$192,270.46 contingency fee, for a total contract amount not to exceed \$4,037,679.66 (Notes: This contract will be awarded in compliance with City Code Chapter 2-9A (Minority Owned and Women Owned Business Enterprise Procurement Program) by meeting the goals with 14.69% MBE and 2.86% WBE subcontractor participation.)

The motion authorizing the execution of a construction contract with Laughlin-Thyssen, Inc. was approved on consent on Mayor Pro Tem Cole's motion, Council Member Spelman's second on a 7-0 vote.

12. Authorize additional funding for the Parks and Recreation Department Aquatic Complex Improvements Design-Build Agreement, for the Bartholomew Pool Complex, with Design-Builder CHASCO CONSTRUCTORS, LTD., L.L.P., in the amount of \$990,000 for additional contingency to fund change orders to address unforeseen subsurface conditions and community design concerns for a total contract authorization amount not to exceed \$8,990,000. (Notes: The Design-Build contract and approved amendments were awarded in compliance with City Code Chapter 2-9A (Minority Owned and Women Owned Business Enterprise Procurement Program).)

The motion authorizing the additional funding for the Parks and Recreation Department Aquatic Complex Improvements Design-Build agreement with Design-Builder Chasco Constructors, Ltd., L.L.P. was approved on consent on Mayor Pro Tem Cole's motion, Council Member Spelman's second on a 7-0 vote.

Item 13 was pulled for discussion.

14. Authorize execution of a supplemental amendment #7 to the professional services agreement with WESTON SOLUTIONS, INC., Austin, TX, for completion of phase 3 construction services and phase 4 remediation services for the Holly Street Power Plant Decommissioning Project in an amount not to exceed \$3,800,000 for a total contract amount not to exceed \$10,807,626.30. May 20, 2013 – Unanimously approved by the Electric Utility Commission on a vote of 7–0. Related to Item #3.

The motion authorizing the execution of a supplemental amendment number seven to the professional services agreement with Weston Solutions, Inc. was approved on consent on Mayor Pro Tem Cole's motion, Council Member Spelman's second on a 7-0 vote.

15. Authorize negotiation and execution of a professional services agreement with W. K. DICKSON & CO., INC., for engineering services for water line condition assessment on Nueces Street in an amount not to exceed \$66,500.

This item was withdrawn on consent on Mayor Pro Tem Cole's motion, Council Member Spelman's second on a 7-0 vote.

Item 16 was pulled for discussion.

17. Authorize negotiation and execution of an amendment to the professional services agreement with COTERA + REED ARCHITECTS (MBE/MH), Austin, TX, to provide architectural services for the 2009-2011 Architectural Services Rotation List, for the years 2011 through 2013 or until financial authorization is expended, in the amount of \$230,000 in additional authorization, for a total contract amount not to exceed amount of \$5,830,000. (Notes: This contract was awarded in compliance with City Code Chapter 2-9B (Minority Owned and Women Owned Business Enterprise Procurement Program) with 15.80% MBE and 15.80% WBE subconsultant participation to date.)

The motion authorizing the negotiation and execution of an amendment to the professional services agreement with Cotera + Reed Architects (MBE/MH) was approved on consent on Mayor Pro Tem Cole's motion, Council Member Spelman's second on a 7-0 vote.

Items 18 and 19 were pulled for discussion.

20. Approve a resolution repealing Council action taken on agenda item #8 on February 28, 2013 which authorized the negotiation and execution of a Family Business Loan Program Section 108 loan to Shady Springs Enterprises, Inc. to refinance a building at 1103 East 6th Street; and authorizing the negotiation and execution of a Family Business Loan Program Section 108 loan to Rosa E. Santis, to refinance a building at 1103 East 6th Street property in an amount not to exceed \$199,284.
Resolution No. 20130523-020 was approved on consent on Mayor Pro Tem Cole's motion, Council Member Spelman's second on a 7-0 vote.

Items 21 through 23 were pulled for discussion.

24. Authorize negotiation and execution of a 12-month interlocal agreement with UNIVERSITY OF TEXAS AT AUSTIN through its GRADUATE SCHOOL OF HEALTH AND KINESIOLOGY, to provide firefighter applicants with a 14-week remedial strength training program and peer fitness training program for the Austin Fire Department with no renewal options in an amount not to exceed \$39,000. (Notes: This Cooperative Purchase is exempt from the MBE/WBE Ordinance. This exemption is in compliance with Chapter 2-9C of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this contract.)
The motion authorizing the negotiation and execution of an interlocal agreement with University of Texas at Austin through its Graduate School of Health and Kinesiology was approved on consent on Mayor Pro Tem Cole's motion, Council Member Spelman's second on a 7-0 vote.
25. Approve an ordinance authorizing acceptance of \$14,645 in grant funds from the TEXAS DEPARTMENT OF STATE HEALTH SERVICES, and amending the Fiscal Year 2012-2013 Health and Human Services Department Operating Budget Special Revenue Fund (Ordinance No. 20120910-001) to appropriate \$14,645 for programs authorized under the Texas Health and Safety Code: Office of Public Health Practice Program, HIV Surveillance Control Program, Sexually Transmitted Disease Control (STD Control), Refugee Health Screening Program, Tuberculosis (TB) Prevention and Control Federal Program, TB Prevention and Control State Program, Public Health Emergency Preparedness Program, Immunization Program and Influenza Incidence Surveillance project.
Ordinance No. 20130523-025 was approved on consent on Mayor Pro Tem Cole's motion, Council Member Spelman's second on a 7-0 vote.
26. Approve negotiation and execution of an amendment to the 12-month contract with FRONT STEPS, INC. to provide homeless services at the Austin Resource Center for the Homeless, in an amount not to exceed \$19,397.29, for a total 12-month contract amount not to exceed \$2,266,813.29 for the period of October 1, 2012 through September 30, 2013.
The motion authorizing the negotiation and execution of an amendment to the contract with Front Steps, Inc. was approved on consent on Mayor Pro Tem Cole's motion, Council Member Spelman's second on a 7-0 vote.

Item 27 was pulled to be heard after the staff presentation.

28. Authorize negotiation and execution of a legal services contract with Sahs & Associates, P.C., for services related to the Lower Colorado River Authority's (LCRA) application to the Texas Commission on Environmental Quality to amend LCRA's Water Management Plan in an amount not to exceed \$400,000.

The motion authorizing the negotiation and execution of a legal services contract with Sahs & Associates, P.C. was approved on consent on Mayor Pro Tem Cole's motion, Council Member Spelman's second on a 7-0 vote.

Items 29 through 33 were pulled for discussion.

34. Approve a resolution authorizing the redevelopment of the City owned 1.4 acre parcel of land along Cesar Chavez known as the Austin Energy Electric South Substation as the new Central Public Library.
Resolution No. 20130523-034 was approved on consent on Mayor Pro Tem Cole's motion, Council Member Spelman's second on a 7-0 vote.

35. Approve an ordinance granting variances to City Code Section 25-9-158 (public hearing deadline) and Section 25-9-159 (Council action deadline) relating to a petition submitted for consent to the creation of the Cascades Municipal Utility District No. 1 (approximately 135 acres of land located in southern Travis County immediately south of the current City limits in Austin's extraterritorial jurisdiction, along the east side of IH 35 South, and along Onion Creek).
Ordinance No. 20130523-035 was approved on consent on Mayor Pro Tem Cole's motion, Council Member Spelman's second on a 7-0 vote.

Item 36 was pulled for discussion.

37. Authorize negotiation and execution of an interlocal agreement with the Texas Department of Transportation (TXDOT) for construction (relocation) of Austin Water Utility pipelines within the TXDOT Roadway Improvement of FM 973 at Colorado River in the amount of \$2,664,522.50 plus a \$266,452.25 contingency fee, for a total contract amount not to exceed \$2,930,974.75
The motion authorizing the negotiation and execution of an interlocal agreement with the Texas Department of Transportation (TXDOT) was approved on consent on Mayor Pro Tem Cole's motion, Council Member Spelman's second on a 7-0 vote.

38. Authorize negotiation and execution of an interlocal agreement with the Texas Department of Transportation (TXDOT) for construction (relocation) of Austin Water Utility water and wastewater lines within the TXDOT Roadway Improvement of State Highway 71 from Southwest Parkway to US 290, in the amount of \$4,383,500 plus a \$876,700 contingency, for a total contract amount not to exceed \$5,260,200.
The motion authorizing the negotiation and execution of an interlocal agreement with the Texas Department of Transportation (TXDOT) was approved on consent on Mayor Pro Tem Cole's motion, Council Member Spelman's second on a 7-0 vote.

39. Authorize negotiation and execution of a Multiple Use Agreement with the Texas Department of Transportation for the construction, maintenance, and operation of the Boardwalk Trail at Lady Bird Lake under Interstate Highway 35 on the south shore; and approve a corresponding resolution expressing the City's intent to maintain the hike and bike trail and all features constructed in association with it, in accordance with the terms of the proposed agreement.
The motion authorizing the negotiation and execution of a multiple use agreement with the Texas Department of Transportation was approved on consent on Mayor Pro Tem Cole's motion, Council Member Spelman's second on a 7-0 vote.

40. Authorize award, negotiation and execution of a 24-month requirements service contract with TITUS SYSTEMS, LP or with the other qualified respondents to RFP BKH0153REBID to provide structured communications cabling services in an amount not to exceed \$6,000,000 with three 12-month extension options in an amount not to exceed \$3,000,000 per option for a total estimated contract amount not to exceed \$15,000,000. (Notes: This contract will be awarded in compliance with City Code Chapter 2-9C

(Minority Owned and Women Owned Business Enterprise Procurement Program) by meeting the goals with 14.10% MBE and 15.00% WBE subcontractor participation.)

The motion authorizing the award, negotiation and execution of a requirements service contract with Titus Systems, LP was approved on consent on Mayor Pro Tem Cole's motion, Council Member Spelman's second on a 7-0 vote.

41. Authorize award, negotiation, and execution of a 60-month requirements service contract with CLEAN HARBORS ENVIRONMENTAL SERVICES, GRUENE ENVIRONMENTAL COMPANIES, EFFECTIVE ENVIRONMENTAL, INC., WESTON SOLUTIONS, INC., and PROGRESSIVE ENVIRONMENTAL SERVICES dba SWS ENVIRONMENTAL SERVICES for soil remediation, equipment, and surface decontamination services for Austin Energy in an amount not to exceed \$7,500,000 combined. (Notes: This contract will be awarded in compliance with Chapter 2-9C of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.) May 20, 2013 – Unanimously approved by the Electric Utility Commission on a vote of 7–0.

The motion authorizing the award, negotiation and execution of a requirements service contract with Clean Harbors Environmental Services; Gruene Environmental Companies; Effective Environmental, Inc.; Weston Solutions, Inc.; and Progressive Environmental Services doing business as SWS Environmental Services was approved on consent on Mayor Pro Tem Cole's motion, Council Member Spelman's second on a 7-0 vote.

42. Authorize award and execution of four, 36-month requirements supply contracts with BADGER METER INC., MUELLER SYSTEMS LLC, TEXAS IRRIGATION SUPPLY, and TECHLINE PIPE, to provide lead free water meters and gate valves for the Austin Water Utility Department, in an estimated amount not to exceed \$3,750,000, each and combined with three 12-month extension options in estimated amounts not to exceed \$1,250,000 per extension option, each and combined, for a total estimated contract amount not to exceed \$7,500,000, each and combined. (Notes: This contract will be awarded in compliance with City Code Chapter 2-9D (Minority-Owned and Women-Owned Business Enterprise Procurement). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.)

The motion authorizing the award and execution of four requirements supply contracts with Badger Meter, Inc.; Mueller Systems LLC; Texas Irrigation Supply; and Techline Pipe was approved on consent on Mayor Pro Tem Cole's motion, Council Member Spelman's second on a 7-0 vote.

43. Authorize award, negotiation, and execution of a 36-month requirements service contract with BARRY CLARK & ASSOCIATES, INC. to provide air cargo and regional market evaluation and development services, and CAMPBELL-HILL AVIATION GROUP, LLC to provide domestic and international air service market evaluation and development services in an estimated amount not to exceed \$950,000 each and combined, with three 12-month extension options in an estimated amount not to exceed \$350,000 per option each and combined, for the Aviation Department in an estimated amount not to exceed \$2,000,000 each and combined. (Notes: This contract will be awarded in compliance with City Code Chapter 2-9C (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.)

The motion authorizing the award, negotiation and execution of requirements service contract with Barry Clark & Associates, Inc. and Campbell-Hill Aviation Group, LLC was approved on consent on Mayor Pro Tem Cole's motion, Council Member Spelman's second on a 7-0 vote.

44. Authorize award and execution of Amendment No. 2 to increase the contract amount with PIPELINE VIDEO INSPECTION & CLEANING, LLC, for cleaning, televising and point repair of sanitary sewer collection systems pipes for the Austin Water Utility in an estimated amount not to exceed \$98,730, for a revised total amount estimated contract amount of \$888,570. (Notes: This contract will be awarded in compliance with City Code Chapter 2-9C (Minority-Owned and Women-Owned Business Enterprise

Procurement Program). No subcontracting opportunities were identified; therefore no goals were established for this solicitation.)

The motion authorizing the award and execution of amendment number two to increase the contract amount with Pipeline Video Inspection & Cleaning, LLC was approved on consent on Mayor Pro Tem Cole's motion, Council Member Spelman's second on a 7-0 vote.

45. Authorize award and execution of a 36-month requirements supply contract with ERGON ASPHALT & EMULSIONS, INC., to provide asphalt emulsions for the Public Works Department, in an estimated amount not to exceed \$8,250,000, with three 12-month extension options in estimated amounts not to exceed \$2,750,000 for each extension option, for a total estimated contract amount not to exceed \$16,500,000. (Notes: This contract will be awarded in compliance with City Code Chapter 2-9D (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.)

The motion authorizing the award and execution of a requirements supply contract with Ergon Asphalt & Emulsions, Inc. was approved on consent on Mayor Pro Tem Cole's motion, Council Member Spelman's second on a 7-0 vote.

46. Authorize award and execution of a 24-month service contract with GC3 SPECIALTY CHEMICALS, INC., for the purchase of chemical treatment services for water systems at various Austin Water Utility locations in an estimated amount not to exceed \$30,960, with one 24-month extension option in an estimated amount not to exceed \$30,960, for a total estimated contract amount not to exceed \$61,920. (Notes: This contract will be awarded in compliance with City Code Chapter 2-9C (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.)

The motion authorizing the award and execution of a service contract with GC3 Specialty Chemicals, Inc. was approved on consent on Mayor Pro Tem Cole's motion, Council Member Spelman's second on a 7-0 vote.

47. Authorize award and execution of Amendment No.6 to a contract with AON RISK SERVICES SOUTHWEST, INC. dba AON, for administration services for ROCIP V for the Human Resources Department to extend the contract for one 12-month period in an amount not to exceed \$0, for a total estimated contract amount not to exceed \$15,300,000. This Amendment will extend the contract to December 31, 2015. (Notes: This contract was awarded in compliance with City Code Chapter 2-9D (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore no goals were established for this solicitation.)

The motion authorizing the award and execution of amendment number six to a contract with AON Risk Services Southwest, Inc. doing business as AON was approved on consent on Mayor Pro Tem Cole's motion, Council Member Spelman's second on a 7-0 vote.

48. Authorize award and execution of Amendment No. 3 to a contract with SAFETY SOLUTIONS, INC., for construction safety management services for the Human Resources Department to extend the contract for one 12 month period and to increase the contract by an amount not to exceed \$65,000, for a revised total estimated contract amount not to exceed \$393,770. (Notes: This contract was awarded in compliance with City Code Chapter 2-9D (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore no goals were established for this solicitation.)

The motion authorizing the award and execution of amendment number three to a contract with Safety Solutions, Inc. was approved on consent on Mayor Pro Tem Cole's motion, Council Member Spelman's second on a 7-0 vote.

49. Authorize award and execution of a 36-month requirements service contract with GEAR CLEANING SOLUTIONS, LLC, or one of the other qualified bidders for RFP CEA0117 to provide turnout gear maintenance services for the Austin Fire Department (AFD) in an estimated amount not to exceed

\$746,673, with three 12-month extension options in an estimated amount not to exceed \$274,185 for the first extension option, \$287,894 for the second extension option, and \$302,289 for the third extension option for a total estimated contract amount not to exceed \$1,611,041. (Notes: This contract will be awarded in compliance with City Code Chapter 2-9C (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.)

The motion authorizing the award and execution of a requirements service contract with Gear Cleaning Solutions, LLC was approved on consent on Mayor Pro Tem Cole's motion, Council Member Spelman's second on a 7-0 vote.

50. Authorize award and execution of a 12-month requirements service contract with FOREVER GREEN, or another qualified bidder to IFB-BV No. OPJ0005, to provide landscaping and irrigation services for Austin Energy's new System Control Center facility, in an estimated amount not to exceed \$21,678 with four 12-month extension options in an estimated amount not to exceed \$21,678 per extension option, for a total estimated contract amount not to exceed \$108,390. (Notes: This contract will be awarded in compliance with City Code Chapter 2-9C (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.)

The motion authorizing the award and execution of a requirements service contract with Forever Green was approved on consent on Mayor Pro Tem Cole's motion, Council Member Spelman's second on a 7-0 vote.

51. Authorize negotiation, award, and execution of a 60-month services requirements contract with SAFETY SOLUTIONS INC., or one of the other qualified offerors to RFP JSD0134 for the Construction Safety Management services of the Rolling Owner Controlled Insurance Program (ROCIP VI) for the Human Resources Department, for a total estimated amount of \$395,000. (Notes: This contract will be awarded in compliance with City Code Chapter 2-9D (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore no goals were established for this solicitation.)

The motion authorizing the negotiation, award and execution of a services requirements contract with Safety Solutions, Inc. was approved on consent on Mayor Pro Tem Cole's motion, Council Member Spelman's second on a 7-0 vote.

52. Authorize, negotiation, and execution of a contract with JOHNSON CONTROLS INC. for the purchase, delivery and installation of a motor upgrade for a York(r) chiller at Austin Energy's Domain District Cooling Plant in an amount not to exceed \$161,235. (Notes: This contract will be awarded in compliance with City Code Chapter 2-9D (Minority-Owned Women-Owned Business Enterprise Procurement Program). Although no goals were established for this contract, 3.20% WBE subcontractor participation has been met.)

The motion authorizing the negotiation and execution of a contract with Johnson Controls, Inc. was approved on consent on Mayor Pro Tem Cole's motion, Council Member Spelman's second on a 7-0 vote.

53. Authorize award, negotiation and execution of 12-month professional services contracts with DR. OVIDIU CRACIUN and DR. MARGARET MACDONALD to provide veterinary surgical services for the Austin Animal Center in an estimated amount not to exceed \$60,000 each and combined, with four 12-month extension options in an estimated amount not to exceed \$60,000 per extension option each and combined, for a total estimated contract amount not to exceed \$300,000 each and combined. (Notes: This contract will be awarded in compliance with City Code Chapter 2-9C (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this contract.)

The motion authorizing the award, negotiation and execution of a professional services contracts with Dr. Ovidu Craciun and Dr. Margaret MacDonald was approved on consent on Mayor Pro Tem Cole's motion, Council Member Spelman's second on a 7-0 vote.

54. Authorize, negotiation, and execution of Amendment No. 1 to a contract with EMERSON PROCESS MANAGEMENT POWER & WATER SOLUTIONS, INC. to repair a voltage regulator at the Decker Creek Power Station in an amount not to exceed \$94,500. (Notes: This contract will be awarded in compliance with City Code Chapter 2-9C (Minority Owned and Women Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this contract.)

The motion authorizing the negotiation and execution of amendment number one to a contract with Emerson Process Management Power & Water Solutions, Inc. was approved on consent on Mayor Pro Tem Cole's motion, Council Member Spelman's second on a 7-0 vote.

55. Authorize, negotiation, and execution of a 12-month requirements service contract with MILSOFT UTILITY SOLUTIONS to provide Milsoft software technical support and maintenance services for Austin Energy in an amount not to exceed \$19,870, with four 12-month extension options in an estimated amount not to exceed \$20,600 for the first extension option, and \$21,330 for the second, third and fourth extension options, for a total estimated contract amount not to exceed \$104,460. (Notes: This contract will be awarded in compliance with City Code Chapter 2-9C (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this contract.)

The motion authorizing the negotiation and execution of a requirements service contract with Milsoft Utility Solutions was approved on consent on Mayor Pro Tem Cole's motion, Council Member Spelman's second on a 7-0 vote.

Item 56 was pulled for discussion.

57. Authorize award, negotiation, and execution of a 48-month requirements supply contract with AVRIO RMS GROUP, LLC, for the purchase of public safety cameras and related hardware, software, services and maintenance in support of Austin Police Department's HALO (High Activity Location Observation) Public Safety Camera project, for a total contract value not to exceed \$750,000. (Notes: This contract will be awarded in compliance with City Code Chapter 2-9C (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this contract.)

The motion authorizing the award, negotiation and execution of a requirements supply contract with Avrio RMS Group, LLC was approved on consent on Mayor Pro Tem Cole's motion, Council Member Spelman's second on a 7-0 vote.

58. Authorize award and execution of a 36-month requirements service contract with AAA FIRE & SAFETY EQUIPMENT CO INC. for hydrostatic cylinder testing for the Austin Fire Department (AFD) in an estimated amount not to exceed \$61,644, with three 12-month extension options in an estimated amount not to exceed \$20,548 per extension option, for a total estimated contract amount not to exceed \$123,288. (Notes: This contract will be awarded in compliance with City Code Chapter 2-9C (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.)

The motion authorizing the award and execution of a requirements service contract with AAA Fire & Safety Equipment Co Inc. was approved on consent on Mayor Pro Tem Cole's motion, Council Member Spelman's second on a 7-0 vote.

Item 59 was pulled to be heard after the related Executive Session item.

Item 60 was pulled for discussion.

61. Approve an ordinance amending City Code Section 12-4-64(D) to establish a maximum speed limit of 55 miles per hour on Burleson Road from U.S. 183 to FM 973.
Ordinance No. 20130523-061 was approved on consent on Mayor Pro Tem Cole's motion, Council Member Spelman's second on a 7-0 vote.
62. Approve an ordinance amending City Code Section 12-4-64(D) to modify the speed limits on certain segments of Ross Road, to add a 20 mile-per-hour school zone for students attending Del Valle elementary and middle schools, and declaring an emergency.
Ordinance No. 20130523-062 was approved on consent on Mayor Pro Tem Cole's motion, Council Member Spelman's second on a 7-0 vote.
63. Approve an ordinance amending City Code Section 12-4-64(D) to modify speed limits on certain segments of St. Elmo Road, to add 20 mile-per-hour school zones on St. Elmo Road and Woodward Street for students attending Harmony School of Excellence, and to provide for emergency passage.
Ordinance No. 20130523-063 was approved on consent on Mayor Pro Tem Cole's motion, Council Member Spelman's second on a 7-0 vote.
64. Approve an ordinance amending City Code Section 12-4-64(D) to modify the speed limits on certain segments of Airport Boulevard, to add a 20 mile-per-hour school zone on a segment of Airport Boulevard for students attending Ridgetop Elementary School, and to provide for emergency passage.
Ordinance No. 20130523-064 was approved on consent on Mayor Pro Tem Cole's motion, Council Member Spelman's second on a 7-0 vote.
65. Approve a resolution authorizing issuance by Senna Hills Municipal Utility District of Unlimited Tax and Waterworks and Sewer System Revenue Refunding Bonds, Series 2013, in a principal amount not to exceed \$6,210,000; and approving a substantial draft of the District's Bond Resolution and Preliminary Official Statement. This refunding does not authorize the extension of the maturity of the bonds being refunded.
Resolution No. 20130523-065 was approved on consent on Mayor Pro Tem Cole's motion, Council Member Spelman's second on a 7-0 vote.
66. Approve appointments and certain related waivers to citizen boards and commissions, to Council subcommittees and other intergovernmental bodies and removal and replacement of members.
No appointment or waivers.
67. Approve an ordinance waiving certain fees and requirements under City Code Chapter 14-8, certain other fees and requirements, and authorizing payment of certain costs for the City co-sponsored Greater East Austin Youth Association's 2013 Juneteenth Parade and Celebration which is to be held on June 15, 2013, at Rosewood Park. (Notes: SPONSOR: Mayor Pro Tem Sheryl Cole CO 1: Council Member Kathie Tovo CO 2: Mayor Lee Leffingwell)
Ordinance No. 20130523-067 was approved on consent on Mayor Pro Tem Cole's motion, Council Member Spelman's second on a 7-0 vote.
68. Approve an ordinance waiving certain fees and requirements for the Visions of Austin State Hospital Insights Art Show and Auction sponsored by the Austin State Hospital which is to be held Thursday, October 10, 2013 at Fiesta Gardens. (Notes: SPONSOR: Mayor Pro Tem Sheryl Cole CO 1: Mayor Lee Leffingwell CO 2: Council Member Chris Riley)
Ordinance No. 20130523-068 was approved on consent on Mayor Pro Tem Cole's motion, Council Member Spelman's second on a 7-0 vote.

70. Approve an ordinance amending City Code Section 2-1-144, limiting the Environmental Board's review of planned unit developments to environmental elements. (Notes: SPONSOR: Council Member Chris Riley CO 1: Council Member Mike Martinez)
Ordinance No. 20130523-070 was approved on consent on Mayor Pro Tem Cole's motion, Council Member Spelman's second on a 7-0 vote.

Item 71 was pulled for discussion.

72. Approve an ordinance reimbursing certain fees to Latinitas for the Fotos de Mi Alma annual fundraiser event which was held on Thursday, May 16, 2013 at the Emma S. Barrientos Mexican American Cultural Center. (Notes: SPONSOR: Council Member Mike Martinez CO 1: Council Member Laura Morrison CO 2: Council Member Kathie Tovo)
Ordinance No. 20130523-072 was approved on consent on Mayor Pro Tem Cole's motion, Council Member Spelman's second on a 7-0 vote.
73. Approve a resolution directing the City Manager and the City Clerk to develop a timeline and resource staffing plan that result in substantial progress in the City Clerk's 10-Step Program Records Management for each city department. (Notes: SPONSOR: Council Member Laura Morrison CO 1: Mayor Pro Tem Sheryl Cole)
Resolution No. 20130523-073 was approved on consent on Mayor Pro Tem Cole's motion, Council Member Spelman's second on a 7-0 vote.
74. Approve a resolution declaring the second Saturday in August for Barton Springs Fest, providing a half day free swimming and celebration at Barton Springs by all interested persons and renew the City's commitment to work with the citizens of Austin to protect Barton Springs and the Barton Springs Edwards Aquifer. (Notes: SPONSOR: Council Member Laura Morrison CO 1: Council Member Kathie Tovo CO 2: Council Member Chris Riley)
Resolution No. 20130523-074 was approved on consent on Mayor Pro Tem Cole's motion, Council Member Spelman's second on a 7-0 vote.

Item 75 was pulled for discussion.

76. Approve a resolution directing the City Manager to provide free parking in city parks on June 1, 2013 for volunteers working on city trails in observance of the annual National Trails Day event. (Notes: SPONSOR: Council Member Mike Martinez CO 1: Mayor Lee Leffingwell)
Resolution No. 20130523-076 was approved on consent on Mayor Pro Tem Cole's motion, Council Member Spelman's second on a 7-0 vote.
77. Approve an ordinance waiving certain fees for the Austin Partners in Education volunteer recruitment banners which are to be installed in August 2013. (Notes: SPONSOR: Council Member Mike Martinez CO 1: Mayor Pro Tem Sheryl Cole CO 2: Council Member Kathie Tovo)
Ordinance No. 20130523-077 was approved on consent on Mayor Pro Tem Cole's motion, Council Member Spelman's second on a 7-0 vote.
78. Approve a resolution directing the City Manager to establish a landscaping stakeholder group, work with the landscaping stakeholder group to review the use of aggregate materials in landscaping, develop a report with recommendations, and provide the report to the City Council after Environmental Board review. (Notes: SPONSOR: Mayor Pro Tem Sheryl Cole CO 1: Council Member Mike Martinez CO 2: Council Member Chris Riley)
Resolution No. 20130523-078 was approved on consent on Mayor Pro Tem Cole's motion, Council Member Spelman's second on a 7-0 vote.

79. Set a public hearing to consider an ordinance amending City Code Chapter 25-2, to: 1) add new code provisions to establish a streamlined Downtown Density Bonus Program; 2) modify the Central Urban Redevelopment (CURE) combining district Code provisions, so that CURE is no longer a means of obtaining additional height and/or density (Floor-to-Area Ratio) in the Downtown Austin Plan area; and 3) repeal code section 25-2-586 (Affordable Housing Incentives in a Central Business District (CBD) or Downtown Mixed Use (DMU) zoning district). (Suggested date and time: June 27, 2013, at 4p.m., Austin City Hall, Council Chambers, 301 West Second Street, Austin, TX 78701).
The public hearing was set on consent for June 27, 2013 at 4:00 p.m. at City Hall, Council Chambers, 301 West Second Street, Austin, TX 78701 on Mayor Pro Tem Cole's motion, Council Member Spelman's second on a 7-0 vote.
80. Set a public hearing to consider code amendments to Titles 25 and 8 of the City Code that allows businesses, under certain conditions, to utilize underutilized parking lots on city parkland to satisfy minimum parking requirements in exchange for funding to provide significant amenities or enhancements to serve the park. (Suggested date and time, June 6, 2013, 4:00 p.m. at Austin City Hall, 301 W. Second Street, Austin, TX).
The public hearing was set on consent for June 6, 2013 at 4:00 p.m. at City Hall, 301 West Second Street, Austin, TX 78701 on Mayor Pro Tem Cole's motion, Council Member Spelman's second on a 7-0 vote.
81. Set a public hearing to consider the permanent use of approximately 7,508 square feet of land and temporary working space use of approximately 5,108 square feet of land for construction, use, maintenance, repair, and replacement of a wastewater line for the Austin Water Utility Wastewater Line Relay and Spot Repair Services, 2506 Hartford Road to 2614 Jefferson Street Project, through dedicated parkland known as Hartford Park in accordance with Sec. 26.001 et seq. of the Texas Parks and Wildlife Code. (Suggested date and time, June 20, 2013, 4:00 p.m. at Austin City Hall, 301 W. Second Street, Austin, TX).
The public hearing was set on consent for June 20, 2013 at 4:00 p.m. at City Hall, 301 West Second Street, Austin, TX 78701 on Mayor Pro Tem Cole's motion, Council Member Spelman's second on a 7-0 vote.
82. Set a public hearing to consider an ordinance amending the City Code Title 13 and Title 25 relating to Heli-Facilities. (Suggested date and time: June 20, 2013, 4:00 p.m. at Austin City Hall, 301 W. Second Street, Austin, TX).
The public hearing was set on consent for June 20, 2013 at 4:00 p.m. at City Hall, 301 West Second Street, Austin, TX 78701 on Mayor Pro Tem Cole's motion, Council Member Spelman's second on a 7-0 vote.

Item 83 was an eminent domain item.

Items 84 through 86 were briefing items set for 10:30 a.m.

Items 87 and 88 were Executive Session items.

Items 89 through 101 were zoning items set for 2:00 p.m.

Items 102 through 117 were public hearing items set for 4:00 p.m.

DISCUSSION ITEMS

29. Approve second and third reading of an ordinance relating to the creation of a board of trustees to govern Austin Energy and an advisory panel to advise the board and the Council on matters concerning Austin Energy.

This item was postponed indefinitely on Council Member Spelman's motion, Council Member Riley's second on a 7-0 vote.

60. Approve an ordinance amending City Code Chapter 13-2 relating to ground transportation passenger services.

There was a motion made by Council Member Riley and seconded by Mayor Pro Tem Cole to postpone this item to June 6, 2013.

There was a substitute motion to approve the ordinance that was made by Council Member Tovo and seconded by Council Member Martinez. The motion failed on a vote of 3-4. Those voting aye were: Council Members Martinez, Morrison and Tovo. Those voting nay were: Mayor Leffingwell, Mayor Pro Tem Cole and Council Members Riley and Spelman.

This item was postponed to June 6, 2013 on Council Member Riley's motion, Mayor Pro Tem Cole's second on a 4-3 vote. Those voting aye were: Mayor Leffingwell, Mayor Pro Tem Cole and Council Members Riley and Spelman. Those voting nay were: Council Members Martinez, Morrison and Tovo.

EMINENT DOMAIN

This vote applies to all units of property (Item 83) to be condemned.

83. Approve a resolution authorizing the filing of eminent domain proceedings for the Fort Branch Watershed Management Area Reach 6 & 7 Channel Rehabilitation - Truelight Area and Eleanor Drive Area Project for 4,944 square feet of land for a permanent drainage easement out of and a part of Lot 23, Block 1, Lincoln Gardens Section One, a subdivision in the City of Austin, Travis County, Texas, according to the map or plat thereof, recorded in Book 5, Page 4 of the Plat Records of Travis County, Texas in the amount of \$5,162. The owner of the needed property interests is MAGDALENA LEDESMA. The property is located at 1214 Fort Branch Boulevard, in Austin, Travis County, Texas 78721. The general route covered by this project includes improvements for nearly 5,000 linear feet along Fort Branch Creek corridor from approximately the creek crossing at Fort Branch Boulevard to the Eleanor Street cul-de-sac. The creek parallels Fort Branch Boulevard, Lott Avenue and Eleanor Street through this area.
Resolution No. 20130523-083 was approved on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.

CITIZEN COMMUNICATIONS: GENERAL

Gus Peña - Happy Memorial Day. Please remember on Memorial Day the sacrifices our Military Veterans made serving our country and other countries to preserve life, liberty, freedom and democracy. A lot of Military Veterans both male and female died to protect us and our never ending strife to preserve liberty and the right to live out oppression and without terror. God bless America and our veterans.

Jeff Crunk - Fayette Power Plant

Gavino Fernandez, Jr. - Pre-4th of July Parade Saturday, June 29th, Fiesta Gardens

Al Braden - Working with LCRA to close Fayette Coal Plant. The biggest single step Austin can take to reduce its carbon load into the atmosphere is to close the Fayette coal plant. This will require a close working relationship with LCRA to replace the power generation with clean power sources soon to be supported by the CREZ transmission project, A mix of wind and solar power generation in West Texas would be the ideal replacement source for hot summer afternoons. Let's learn from San Antonio and begin building new renewable power for a sustainable future.

Jordan Metoyer - The Mayors Student Advisory Council

Linda Greene - More ways to deal with the fluoride waste added to our water by City Council

Ronnie Reeferseed - Peace, freedom, fluoride and the ongoing kill-grid

Will Mcleod - 1. Rosemary Lehmberg should resign due to "conflict of interest" 2. Repeal Obamacare 3. Stop water wasters 4. Abolish Capital Metro 5. TBD

Carlos León - 1. Defeat evil chemtrails 2. La verdad es la verdad 3. Fear God 4. Repent, pray, and be righteous

Kim Koo Hyun - Austin citizens Homeland Security in the City of Austin

Mayor Leffingwell recessed the Council Meeting to go into Executive Session at 12:36 p.m.

EXECUTIVE SESSION

The City Council went into Executive Session, pursuant to Chapter 551 of the Texas Government Code, to receive advice from Legal Counsel, to discuss matters of land acquisition, litigation, and personnel matters as specifically listed on this agenda and to receive advice from Legal Counsel regarding any other item on this agenda.

The Mayor announced that Council would discuss item number 59 on the regular agenda during Executive Session.

87. Discuss legal issues related to the transition to electing the council from single-member districts (Private consultation with legal counsel-Section 551.071).

This item was withdrawn.

88. Discuss legal issues related to Open Government matters (Private consultation with legal counsel - Section 551.071).

This item was withdrawn.

Executive Session ended and Mayor Leffingwell called the Council Meeting back to order at 1:45 p.m.

DISCUSSION ITEMS CONTINUED

27. Approve a settlement in Rachel McCuiston et al v. City of Austin, Cause No. C-1-CV-11-004217; In the Travis County Court at Law No. 1.

The motion to settle the above referenced lawsuit, by the City paying \$75,000 to Rachel and Michael McCuiston et al, was approved on Council Member Spelman's motion, Council Member Morrison's second, on a 6-0 vote. Mayor Pro Tem Cole was off the dais. In exchange for the payment the plaintiffs will dismiss their lawsuit against the City of Austin with prejudice and release the City from any claims that were or could have been brought in the existing lawsuit.

59. Approve an ordinance amending City Code Chapter 13-2 (Ground Transportation Passenger Services) to revise the definitions, amend the regulations, and add requirements related to the operation of Charter Services.

This item was postponed to June 6, 2013 on Council Member Spelman's motion, Council Member Martinez' second on a 7-0 vote.

Items 21 through 23 were acted on in a combined motion.

21. Authorize negotiation and execution of an amendment to the existing interlocal cooperation agreement between the City and Travis County to provide additional emergency medical services in an area of Travis County outside the City's corporate limits for a period beginning June 1, 2013 through September 30, 2013 in exchange for payment of \$259,775 by Travis County. Related to Item #22.
This item was postponed to June 6, 2013 on Council Member Martinez' motion, Council Member Morrison's second on a 7-0 vote.
22. Approve an ordinance amending the Fiscal Year 2012-2013 General Fund Emergency Medical Services Department Operating Budget (Ordinance No. 20120910-001) to increase revenue in the amount of \$169,333 and increase expenses in the amount of \$169,333 to add six new EMS Medic I full-time equivalent positions. Related to Item #21.
This item was postponed to June 6, 2013 on Council Member Martinez' motion, Council Member Morrison's second on a 7-0 vote.
23. Approve an ordinance establishing classifications and positions in the classified service of the Emergency Medical Services Department; eliminating and creating certain positions in the classified service of the Emergency Medical Services Department; and repealing ordinance no. 20130328-015 relating to Emergency Medical Services Department classifications and positions.
This item was postponed to June 6, 2013 on Council Member Martinez' motion, Council Member Morrison's second on a 7-0 vote.
69. Approve a resolution directing the City Manager to collect data on multi-family units participating in Austin Energy's Multi-Family Energy Efficiency Program. (Notes: SPONSOR: Council Member Tovo CO 1: Council Member Spelman CO 2: Council Member Mike Martinez) May 20, 2013 – Unanimously approved by the Electric Utility Commission on a vote of 7-0.
Resolution No. 20130523-069 was approved on Council Member Tovo's motion, Council Member Spelman's second on a 4-3 vote. Those voting aye were: Council Members Martinez, Morrison, Spelman and Tovo. Those voting nay were: Mayor Leffingwell, Mayor Pro Tem Cole and Council Member Riley.
19. Approve a resolution authorizing the CIRCUIT EVENTS LOCAL ORGANIZING COMMITTEE to act on the City's behalf to apply to the Texas Comptroller for Texas Event Trust Fund for the Summer X Games 2014, 2015, and 2016, at the Circuit of the Americas facility in Austin and authorizing the City Manager to submit to council fee waivers and in-kind assistance in an amount not to exceed \$150,000 if Austin is selected for these games.
Resolution No. 20130523-019 was approved on Council Member Spelman's motion, Council Member Martinez' second on a 5-2 vote. Those voting aye were: Mayor Leffingwell, Mayor Pro Tem Cole and Council Members Martinez, Riley and Spelman. Those voting nay were: Council Members Morrison and Tovo.

ZONING CONSENT ITEMS (HEARINGS CLOSED)

The following zoning items were acted on by one motion. No separate action occurred on any of the items.

89. C14-2011-0141 - Peaceful Hill Condominiums - Approve third reading of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 8107 Peaceful Hill Lane and 501 Hubach Lane (South Boggy Creek Watershed) from development reserve (DR) district zoning to townhouse and condominium residence-conditional overlay (SF-6-CO) combining district zoning, with conditions. First reading approved with conditions on April 26, 2012. Vote: 5-2, Mayor Lee Leffingwell and Council Member Tovo voted nay. Second Reading approved with conditions on June 14, 2012. Vote: 5-2 Council Members Morrison and Tovo voted nay. Owner/Applicant: Kristopher Alsworth, Delton Hubach, Jim Bula and Catherine Christopherson. Agent: The Weichert Law Firm (Glenn K. Weichert).

City Staff: Wendy Rhoades, 974-7719. A valid petition has been filed in opposition to this rezoning request.

This item was postponed on consent to June 6, 2013 at the applicant and neighborhood's request on Council Member Spelman's motion, Council Member Morrison's second on a 7-0 vote.

Action was taken on item 90 but was reconsidered later in the meeting. See below.

91. C14-2013-0036 - Paloma Ridge - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 13620-13700 North FM 620 Road (Lake Creek Watershed) from multi-family residence-medium density (MF-3) district zoning and general office-mixed use-conditional overlay (GO-MU-CO) combining district zoning to community commercial-mixed use-conditional overlay (GR-MU-CO) combining district zoning. First Reading approved on May 9, 2013. Vote: 7-0. Owner/Applicant: Koontz McCombs, Troves Gilbert. Agent: Bury & Partners Inc. (Melissa Neslund). City Staff: Sherri Sirwaitis, 974-3057.
Ordinance No. 20130523-091 for community commercial-mixed use-conditional overlay (GR-MU-CO) combining district zoning was approved on consent on Council Member Spelman's motion, Council Member Morrison's second on a 7-0 vote.
92. NPA-2012-0021.01 - 1100 Manlove Street (1100 Manlove St. NPA) - Conduct a public hearing and approve an ordinance amending Ordinance No. 20061116-055 of the East Riverside/Oltorf Combined Neighborhood Plan, to change the future land use designation on the future land use map (FLUM) on property locally known as 1100 Manlove Street (Harpers Branch) from Single Family to Neighborhood Mixed Use land use. Staff Recommendation: To deny Neighborhood Mixed Use land use. Planning Commission Recommendation: Withdrawn by applicant on April 23, 2013. Owner: John Schuler c/o Schuler Family Trust of 1998. Applicant and Agent: Thrower Design (A. Ron Thrower). City Staff: Maureen Meredith, 974-2695.
This item was withdrawn on consent on Council Member Spelman's motion, Council Member Morrison's second on a 7-0 vote.
93. NPA-2012-0015.01 - 3511 Manor Road (Street and Bridge Central District Office) - Conduct a public hearing and approve an ordinance amending Ordinance No. 20021107-Z-11 of the East MLK Combined Neighborhood Plan, to change the future land use designation on the future land use map (FLUM) on property locally known as 3511 Manor Road (Tannehill Branch Watershed) from Mixed Use to Civic land use. Staff Recommendation: To grant Civic land use. Planning Commission Recommendation: Withdrawn by applicant on April 23, 2013. Owner: City of Austin. Applicant and Agent: Public Works Department (Peter Davis). City Staff: Maureen Meredith, 974-2695.
This item was withdrawn on consent on Council Member Spelman's motion, Council Member Morrison's second on a 7-0 vote.
94. C14-2012-0140 - Street and Bridge District Office- Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 3511 Manor Road (Tannehill Branch Watershed) from community commercial-neighborhood plan (GR-NP) combining district zoning and community commercial-vertical mixed use building-neighborhood plan (GR-V-NP) combining district zoning to general commercial services-conditional overlay-neighborhood plan (CS-CO-NP) combining district zoning. Staff Recommendation: To grant general commercial services-conditional overlay-neighborhood plan (CS-CO-NP) combining district zoning. Planning Commission Recommendation: To be reviewed on May 28, 2013. Owner/Agent: City of Austin (Peter Davis). City Staff: Heather Chaffin, 974-2122. A valid petition has been filed in opposition to this rezoning request.
This item was postponed on consent to June 6, 2013 at the staff's request on Council Member Spelman's motion, Council Member Morrison's second on a 7-0 vote.
95. C14-2012-0109 - Sunflower - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 1201 Robert E Lee Road (Lady Bird Lake

Watershed) from family residence (SF-3) district zoning to townhouse and condominium residence (SF-6) district zoning. Staff Recommendation: To grant townhouse and condominium residence-conditional overlay (SF-6-CO) combining district zoning. Planning Commission Recommendation: To deny townhouse and condominium residence-conditional overlay (SF-6-CO) combining district zoning. Owner/Applicant: Joe Joseph, Jr.; Hazel Joseph. Agent: Vinson Radke Investments (Steven Radke). City Staff: Lee Heckman, 974-7604. A valid petition has been filed in opposition to this rezoning request.

This item was postponed on consent to June 27, 2013 at the applicant's request on Council Member Spelman's motion, Council Member Morrison's second on a 7-0 vote.

96. C14-2012-0100 - Woodland Commercial Park - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 1640 South IH-35 (Harper's Branch Watershed) from community commercial-conditional overlay-neighborhood plan (GR-CO-NP) combining district zoning to general commercial services-conditional overlay-neighborhood plan (CS-CO-NP) combining district zoning. Staff Recommendation: To grant general commercial services-conditional overlay-neighborhood plan (CS-CO-NP) combining district zoning, with conditions. Planning Commission Recommendation: To be reviewed on May 28, 2013. Owner: Woodland I-35, LP (Billy Reagan II). Applicant: Brown McCarroll LLP (Nikelle Meade). City Staff: Lee Heckman, 974-7604.

This item was postponed on consent to June 20, 2013 at the staff's request on Council Member Spelman's motion, Council Member Morrison's second on a 7-0 vote.

97. C814-2012-0160 - 211 South Lamar Boulevard Planned Unit Development - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 211 South Lamar Boulevard (Lady Bird Lake Watershed) from general commercial services (CS) district zoning and general commercial services-vertical mixed use building (CS-V) combining district zoning to planned unit development (PUD) district zoning. Staff Recommendation: To grant planned unit development (PUD) district zoning. Planning Commission Recommendation: To be reviewed May 28, 2013. Owner: Post Paggi, LLC (Jason Post). Applicant: Winstead PC (Stephen O. Drenner). City Staff: Lee Heckman, 974-7604.

This item was postponed on consent to June 6, 2013 at the staff's request on Council Member Spelman's motion, Council Member Morrison's second on a 7-0 vote.

98. C14-2013-0020 - Oak Creek Village - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 2324 Wilson Street (Bouldin Creek Watershed) from multi-family residence medium density-neighborhood plan (MF-3-NP) combining district zoning to multi-family residence-highest density-conditional overlay-neighborhood plan (MF-6-CO-NP) combining district zoning. Staff Recommendation: To grant multi-family residence highest density-conditional overlay-neighborhood plan (MF-6-CO-NP) combining district zoning with conditions. Planning Commission Recommendation: To be reviewed on May 28, 2013. Owner: 2007 Travis Heights, LP (Rene D. Campos). Applicant/Agent: Winstead PC (John Donisi). City Staff: Lee Heckman, 974-7604.

This item was postponed on consent to June 6, 2013 at the staff's request on Council Member Spelman's motion, Council Member Morrison's second on a 7-0 vote.

100. C14-2013-0028 - USPS - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 805 Neches Street (Town Lake Watershed) from commercial-liquor sales (CS-1) district zoning and multi-family residence-moderate-high density (MF-4) district zoning to downtown mixed use (DMU) district zoning. Staff Recommendation: To grant downtown mixed use-conditional overlay (DMU-CO) combining district zoning. Planning Commission Recommendation: To grant downtown mixed use-conditional overlay (DMU-CO) combining district zoning. Applicant: United States Postal Service (Jane Bjork). Agent: Jim Bennett Consulting (Jim Bennett). City Staff: Clark Patterson, 974-7691.

The public hearing was conducted and the motion to close the public hearing and adopt Ordinance No. 20130523-100 for downtown mixed use-conditional overlay (DMU-CO) combining district

zoning was approved on consent on Council Member Spelman's motion, Council Member Morrison's second on a 7-0 vote.

BRIEFINGS

- 84. Sister City Address from Deputy Lord Mayor of Adelaide Australia.
This item was withdrawn without objection.
- 85. Briefing on the Auditorium Shores Improvements Project.
The presentation was made by Jesse Vargas, Assistant Director; Cora Wright, Assistant Director, Parks and Recreation Department.
- 86. Briefing on the Innovation Office.
This item was withdrawn without objection.

Items 30 through 33 were acted on in a combined motion.

- 30. Approve a resolution consenting to the issuance by Austin Affordable, PFC, Inc., an affiliate of the Housing Authority of the City of Austin, of \$25,000,000 in Multifamily Private Activity Bonds to finance a proposed 250-unit multi-family rental development to be located at 7000 East Ben White Boulevard.
Resolution No. 20130523-030 was approved on Council Member Tovo's motion, Council Member Martinez' second on a 6-1 vote. Council Member Riley voted nay.
- 31. Approve a resolution consenting to the issuance, by Austin Affordable, PFC, Inc., an affiliate of the Housing Authority of the City of Austin, of \$17,000,000 in Multi-family Private Activity Bonds to finance, in part, a proposed 183-unit multi-family rental development for seniors to be located at 7016 East Ben White Boulevard.
Resolution No. 20130523-031 was approved on Council Member Tovo's motion, Council Member Martinez' second on a 6-1 vote. Council Member Riley voted nay.
- 32. Approve a resolution consenting to the City's support of Ben White Development, LP's application to the Texas Department of Housing and Community Affairs for an allocation of non-competitive four percent low income housing tax credits to help finance a proposed 250-unit multi-family rental development to be located at 7000 East Ben White Boulevard.
Resolution No. 20130523-032 was approved on Council Member Tovo's motion, Council Member Martinez' second on a 6-1 vote. Council Member Riley voted nay.
- 33. Approve a resolution consenting to the City's support of the Villages of Ben White, LP's application to the Texas Department of Housing and Community Affairs for an allocation of non-competitive four percent low income housing tax credits to help finance a proposed 183-unit multi-family rental development for seniors to be located at 7016 East Ben White Boulevard.
Resolution No. 20130523-033 was approved on Council Member Tovo's motion, Council Member Martinez' second on a 6-1 vote. Council Member Riley voted nay.
- 13. Authorize use of the Design-Build method for design and construction services, in accordance with Government Code Chapter 2267 Subchapter G, for the development of an office building and parking structure at Riverside & Montopolis Tokyo electric site purchased by the City of Austin and Austin Energy. May 20, 2013 – Unanimously approved by the Electric Utility Commission on a vote of 7-0.
The motion authorizing the use of the design-build method for design and construction services was approved on Council Member Tovo's motion, Council Member Martinez' second on a 7-0 vote.
- 18. Authorize negotiation and execution of a job order contract with the following Austin, Texas contractors: GO GREEN SQUADS, LLC (WBE/FW); McCULLOUGH HEATING & AIR CONDITIONING INC.;

CLIMATE MECHANICAL, INC.; AIRTECH ENERGY SYSTEMS, INC.; GOOD NEIGHBOR MANAGEMENT, INC. dba CITY CONSERVATION; and AMERICAN CONSERVATION & AIR, INC., to perform construction services for the Austin Energy Home Efficiency Assistance Program Tier 2 Basic Weatherization Plus HVAC Project, in an amount not to exceed \$1,500,000 for a one-year term and distributed to the six selected contractors based on work authorization and availability. (Notes: This contract will be awarded in compliance with City Code Chapter 2-9A (Minority Owned and Women Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.)

The motion authorizing the negotiation and execution of a job order contract with Go Green Squads, LLC (WBE/FW); McCullough Heating & Air Conditioning Inc.; Climate Mechanical, Inc.; Airtech Energy Systems, Inc.; Good Neighbor Management, Inc. doing business as City Conservation; and American Conservation & Air, Inc. was approved on Council Member Morrison's motion, Council Member Spelman's second on a 7-0 vote. Direction was given to staff to revive the process of flow of services, funding and how the services will be coordinated that was presented in a presentation and agreement from the Public Health meeting and make sure everyone is in agreement as to how it will operate.

36. Reconsider the denial of partial tax abatements for certain historic properties that were denied the tax abatement for the tax year that starts January 1, 2013, and if granted, amend Resolution No. 20130425-027 to add these properties. May 20, 2013 – Unanimously approved by the Historic Land Commission on a 6-0 vote.

The motion to reconsider the denial of partial tax abatements for certain historic properties was approved on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote. Direction was given to staff to conduct a code inspection of the William Green Hill House and Hugo Kuehne House in two months and report the findings to Council via email.

56. Authorize award, negotiation, and execution of various supply and service agreements for a 48-month period with vendors through TEXAS LOCAL GOVERNMENT PURCHASING COOPERATIVE (BUYBOARD) for the purchase, installation, maintenance and repair of playscapes for the City of Austin Parks and Recreation Department, in an estimated amount not to exceed \$2,360,000.

The motion authorizing the award, negotiation and execution of various supply and service agreements with vendors through Texas Local Government Purchasing Cooperative (BUYBOARD) was approved on Council Member Tovo's motion, Council Member Morrison's second on a 7-0 vote.

PUBLIC HEARINGS AND POSSIBLE ACTIONS

Items 103, 105, 107, 110, 111, 113, 114, 115, 116, and 117 were acted on in a combined motion.

103. Conduct a public hearing and consider an appeal by Ian Inglis, President of the Austin City Lofts Neighborhood Association regarding the decision to issue an Outdoor Music Venue permit for Lucy's Retired Surfer Bar & Restaurant at 506 West Avenue.

This item was withdrawn on Council Member Martinez' motion, Mayor Pro Tem Cole's second on a 7-0 vote.

105. Conduct a public hearing and consider an ordinance amending City Code Chapters 25-2 and 25-12 relating to the regulation of short-term rental residential uses and other regulating lodging establishments; authorizing the limited refund or credit for certain fees paid; and waiving the review requirement of Section 25-1-502.

This item was postponed to August 8, 2013 on Council Member Martinez' motion, Mayor Pro Tem Cole's second on a 7-0 vote.

107. Conduct a public hearing and consider an ordinance amending City Code Chapter 25-2, Subchapter E, relating to design standards and mixed use for development projects.
This item was postponed to June 6, 2013 on Council Member Martinez' motion, Mayor Pro Tem Cole's second on a 7-0 vote.
110. Conduct a public hearing and consider an ordinance amending Article 1 of City Code Chapter 25-12, the Building Code, to address noise mitigation for high rise residential Group R structures. Related to Item #111.
This item was postponed to June 6, 2013 on Council Member Martinez' motion, Mayor Pro Tem Cole's second on a 7-0 vote.
111. Conduct a public hearing and consider an ordinance repealing and replacing Article 1 of City Code Chapter 25-12 to adopt the 2012 International Building Code and local amendments. Related to Item #110.
This item was postponed to June 6, 2013 on Council Member Martinez' motion, Mayor Pro Tem Cole's second on a 7-0 vote.
113. Conduct a public hearing and consider an ordinance repealing and replacing Article 5 of City Code Chapter 25-12 to adopt the 2012 Uniform Mechanical Code and local amendments.
This item was postponed to June 6, 2013 on Council Member Martinez' motion, Mayor Pro Tem Cole's second on a 7-0 vote.
114. Conduct a public hearing and consider an ordinance repealing and replacing Article 6 of City Code Chapter 25-12 to adopt the 2012 Uniform Plumbing Code and local amendments.
This item was postponed to June 6, 2013 on Council Member Martinez' motion, Mayor Pro Tem Cole's second on a 7-0 vote.
115. Conduct a public hearing and consider an ordinance repealing and replacing Article 9 of City Code Chapter 25-12 to adopt the 2012 International Property Maintenance Code and local amendments.
This item was postponed to August 8, 2013 on Council Member Martinez' motion, Mayor Pro Tem Cole's second on a 7-0 vote.
116. Conduct a public hearing and consider an ordinance repealing and replacing Article 12 of City Code Chapter 25-12 to adopt the 2012 International Energy Conservation Code and local amendments.
This item was postponed to June 6, 2013 on Council Member Martinez' motion, Mayor Pro Tem Cole's second on a 7-0 vote.
117. Conduct a public hearing and consider an ordinance repealing and replacing City Code Chapter 25-12, Article 7 to adopt the 2012 International Fire Code and local amendments.
This item was postponed to June 6, 2013 on Council Member Martinez' motion, Mayor Pro Tem Cole's second on a 7-0 vote.

DISCUSSION ITEMS CONTINUED

75. Approve a resolution directing the City Manager to explore the feasibility of an interlocal agreement with administrators of Camp Mabry Garrison Command that would facilitate the use of Camp Mabry's grounds for public events previously held on City property; and to determine whether or not the City can financially participate in moving some of the displaced events originally slated for Auditorium Shores. (Notes: SPONSOR: Council Member Mike Martinez CO 1: Council Member Laura Morrison)
Resolution No. 20130523-075 was approved on Council Member Martinez' motion, Mayor Pro Tem Cole's second on a 7-0 vote.

16. Authorize execution of a construction contract with MUNIZ CONCRETE AND CONTRACTING, INC. for the North Acres Trail Improvements in the amount of \$683,339.94 plus a \$68,333.99 contingency, for a total contract amount not to exceed \$751,673.93. (Notes: This contract will be awarded in compliance with the requirements of 49 CFR Part 26 (Disadvantaged Business Enterprise Program) and City Code Chapter 2-9A (Minority Owned and Women Owned Business Enterprise Procurement Program) by meeting the goal with 35.83% prime and 8.58% DBE subcontractor participation.)
The motion authorizing the execution of a construction contract with Muniz Concrete and Contracting, Inc. was approved on Council Member Riley's motion, Mayor Pro Tem Cole's second on a 6-1 vote. Mayor Leffingwell voted nay.

Mayor Leffingwell recessed the Council Meeting at 5:28 p.m.

LIVE MUSIC

Tiarra Girls

PROCLAMATIONS

Proclamation -- Employee Safety Month and Certificates of Congratulations -- Children's Art Contest Winners -- to be presented by Mayor Lee Leffingwell and to be accepted by Jo Ann Cowan and students

Proclamation -- Public Works Week and Certificate of Congratulations -- Howard Lazarus -- for selection as one of the Top 10 Public Works Leaders for 2013 -- to be presented by Mayor Lee Leffingwell and to be accepted by Howard Lazarus and Public Works employees

Distinguished Service Award -- Johnny Limon, Community Development Commission -- to be presented by Mayor Lee Leffingwell and to be accepted by the honoree

Proclamation -- Free Swim Day and National Trails Day -- to be presented by Council Member Mike Martinez and to be accepted by TBA

Distinguished Service Award -- Debra Keith-Thompson -- to be presented by Mayor Pro Tem Sheryl Cole and to be accepted by the honoree

Proclamation -- Mental Health Awareness Month -- to be presented by Mayor Pro Tem Sheryl Cole and to be accepted by NAMI representatives

Mayor Leffingwell called the Council Meeting back to order at 7:05 p.m.

ZONING DISCUSSION ITEMS

99. C14-2013-0023 - 6.11 Acre Tract - Westgate and Davis Lane - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 2901 Davis Lane (South Boggy Creek; Slaughter Creek-Barton Springs Zone) from rural residence (RR) district zoning to townhouse and condominium residence (SF-6) district zoning. Staff Recommendation: To grant townhouse and condominium residence-conditional overlay (SF-6-CO) combining district zoning. Zoning and Platting Commission Recommendation: To grant townhouse and condominium residence-conditional overlay (SF-6-CO) combining district zoning. Owner/Applicant: Susan Parker Leigh. Agent: Bleyl & Associates (Vincent G. Huebinger). City Staff: Wendy Rhoades, 974-7719.
There was a motion made by Council Member Martinez and seconded by Council Member Morrison to deny zoning request. The motion was withdrawn by Council Member Martinez.

There was a motion made by Council Member Martinez and seconded by Council Member Morrison to postpone this item to September 26, 2013. The motion passed on a 5-1 vote. Council Member Riley voted nay. Mayor Leffingwell was off the dais. Direction was given to staff to provide the amount of units allowed on the property when this item is brought back to Council.

101. C14-2013-0046.SH - Skyway Studies - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 2805 and 2807 Skyway Circle and 2800 South Lamar Boulevard (Barton Creek Watershed-Barton Springs Zone) from multi-family residence-medium density (MF-3) district zoning, community commercial-vertical mixed use building (GR-V) combining district zoning, and general commercial services-vertical mixed use building (CS-V) combining district zoning to community commercial-vertical mixed use building-conditional overlay (GR-V-CO) combining district zoning. Staff Recommendation: To grant community commercial-vertical mixed use building-conditional overlay (GR-V-CO) combining district zoning. Planning Commission Recommendation: To grant community commercial-vertical mixed use building-conditional overlay (GR-V-CO) combining district zoning for Tract 1 and community commercial-mixed use-conditional overlay (GR-MU-CO) combining district zoning for Tract 2. Owner: Goodwill Industries of Central Texas (Gerald L. Davis). Applicant/Agent: FC Austin Three Housing Corporation (Walter Moreau). City Staff: Lee Heckman, 974-7604.

The public hearing was conducted and the motion to close the public hearing and adopt Ordinance No. 20130523-101 for community commercial-vertical mixed use building-conditional overlay (GR-V-CO) combining district zoning for Tract 1 and community commercial-mixed use-conditional overlay (GR-MU-CO) combining district zoning for Tract 2 was approved with certain prohibition on uses as they apply to Tract 1 and the following prohibitions and uses on Council Member Morrison's motion, Council Member Spelman's second on a 6-0 vote. Mayor Leffingwell was off the dais. The prohibition and uses are: prohibited entrance and exit of vehicles to property from Skyway Circle with the exception of emergency vehicle, pedestrian and bicycle usage; and limit Tract 2 to residential and parking uses only.

There was a friendly amendment made by Council Member Riley to remove the prohibition of vehicular access from Skyway Circle. The amendment was not accepted by the maker of the motion.

90. C14-2012-0083 - Cirrus Rezoning - Approve second/third reading of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 800 W. 6th Street & 602 - 702 West Avenue (Shoal Creek Watershed) from downtown mixed use-conditional overlay-central urban redevelopment district (DMU-CO-CURE) combining district zoning for Tract 1 and limited office and general office (LO & GO) district zoning for Tract 2 to downtown mixed use-central urban redevelopment district (DMU-CURE) combining district zoning for Tract 1 and downtown mixed use-conditional overlay (DMU-CO) combining district zoning for Tract 2. First reading approved on April 25th, 2013. Vote 5-1. Council Member Tovo voted nay. Applicant: Cirrus Logic, Inc. (Thurman Case). Agent: Armbrust & Brown, PLLC (Richard Suttle). City Staff: Clark Patterson, 974-7691.

The second reading of the ordinance for downtown mixed use-central urban redevelopment district (DMU-CURE) combining district zoning for Tract 1 and limited office and general office (LO & GO) district zoning for Tract 2 was approved on consent on Council Member Spelman's motion, Council Member Morrison's second on a 7-0 vote.

A motion to reconsider item 90 was approved on Council Member Spelman's motion, Council Member Morrison's second on a 6-0 vote. Mayor Leffingwell was off the dais.

The second reading of the ordinance for downtown mixed use-central urban redevelopment district (DMU-CURE) combining district zoning for Tract 1 and downtown mixed use-conditional overlay (DMU-CO) combining district zoning for Tract 2 was approved on Council Member Morrison's motion, Council Member Spelman's second on a 6-0 vote. Mayor Leffingwell was off the dais.

PUBLIC HEARINGS AND POSSIBLE ACTIONS CONTINUED

102. Conduct a public hearing and consider an ordinance regarding Texas Gas Service's proposal to increase customer gas rates.

The public hearing was conducted and the motion to close the public hearing and approve Ordinance No. 20130523-102 was approved on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.

104. Conduct a public hearing and consider an ordinance amending various sections of City Code Title 25 to clarify definitions and regulations related to bicycle and motor vehicle parking requirements, calculations and reductions; and establishing a bicycle parking fund.

The public hearing was conducted and the motion to close the public hearing and approve Ordinance No. 20130523-104 was approved with the following friendly amendments on Council Member Spelman's motion, Council Member Martinez' second on a 7-0 vote.

The following friendly amendments were made by Council Member Riley. The amendments were accepted by the maker of the motion and by Council Member Martinez, who made the second.

Amend Schedule A to read:

Commercial off-street parking requires one bike parking space for every 10 motor vehicle parking spaces.

Amend Schedule B to read:

The director shall determine the minimum off-street motor vehicle parking requirement, minimum off-street bicycle parking requirement, and minimum off-street loading requirement for a use that is subject to this schedule. In making a determination, the director shall consider the requirements applicable to similar uses, the location and characteristics of the use, and appropriate traffic engineering and planning date. A minimum of one bicycle parking space shall be provided for any use except Single-Family residential or Two-Family residential.

Amend Part 7.25-6-478(F) to read:

Reductions or waivers for parking requirements granted under this section may be combined with other applicable parking reductions in this chapter provided the total reduction for the site does not exceed 40%. Reductions or waivers in excess of 40% of the site's required parking are only permitted in conjunction with compliance of Section 25-6-478(D) (Motor Vehicle Parking Reductions General) and with the approval by the director.

106. Conduct a public hearing and consider an ordinance amending City Code Chapter 25-2 to encourage the relocation of historically significant buildings in the Rainey Street subdistrict of the Waterfront Overlay Combining District to appropriate locations outside of the subdistrict in lieu of demolition.

The public hearing was conducted and the motion to close the public hearing and approve Ordinance No. 20130523-106 was approved on Council Member Martinez' motion, Council Member Morrison's second on a 6-0 vote. Council Member Spelman was off the dais.

The motion to waive the rules and allow Council to meet after 10 p.m. was approved on Mayor Pro Tem Cole's motion, Council Member Spelman's second on a 7-0 vote.

108. Conduct a public hearing and consider an ordinance amending Article 11 of City Code Chapter 25-12, the Residential Code, to require additional accessibility or visitability standards for residential single-family and duplex construction. Related to Item #109.

The public hearing was conducted and the motion to close the public hearing and approve the ordinance on first reading was approved with the following amendment, friendly amendment and direction on Council Member Spelman's motion, Council Member Morrison's second on a 7-0 vote.

There was an amendment made by Council Member Spelman to strike the wording “and any interior doors must have handles” in section R320.3 of the ordinance.

There was a friendly amendment made by Council Member Morrison to create accessibility from the no step entrance to the accessible route. The amendment was accepted by the maker of the motion.

Staff is directed to:

Council Member Spelman

- Study the ramp requirement and determine which houses it would be required on and which houses it would not.
- Create a waiver policy which is less stringent than the current waiver policy in section 5.133.

Mayor Pro Tem Cole

- Report back to Council on second and third readings.
- Develop a fee in lieu of calculation and bring back to Council on second reading.
- Have discussion with stakeholders regarding existing homes that do not have needed accessibility.

Council Member Martinez

- Conduct a sampling to determine the percentage of permits that come in with a slope that is larger than three or four feet.

Mayor Leffingwell

- Before second reading use the Mayors Task Force on Aging report and recommendations to discuss the unresolved issues.
- In the interim come back with consensus numbers on what the items cost.

Council Member Tovo

- Provide Council with the cost of retrofitting accessibility verses requiring it at the time of the new construction.

109. Conduct a public hearing and consider an ordinance repealing and replacing Article 11 of City Code Chapter 25-12 to adopt the 2012 International Residential Code and local amendments. Related to Item #108.

The public hearing was conducted and the motion to close the public hearing and approve the ordinance on first reading was approved on Council Member Morrison’s motion, Council Member Martinez’ second on a 7-0 vote.

112. Conduct a public hearing and consider an ordinance amending Section 25-12-113 and 25-12-114 relating to requirements of the Electrical Code for registration, inspection, supervision, and suspension.

The public hearing was conducted and the motion to close the public hearing and approve the ordinance on first reading was approved on Council Member Martinez’ motion, Council Member Morrison’s second on a 6-1 vote. Council Member Spelman voted nay.

DISCUSSION ITEMS CONTINUED

71. Approve a resolution creating a City Council Committee on Austin Energy and approve appointments to the committee. (Notes: SPONSOR: Council Member Chris Riley CO 1: Council Member Mike Martinez CO 2: Council Member Laura Morrison)

Resolution No. 20130523-071 was approved with the following friendly amendment on Council Member Riley’s motion, Council Member Martinez’ second on a 7-0 vote.

There was a friendly amendment made by Council Member Tovo to add to the resolution: customer protection; fuel hedging and related financial strategies; key accounts and special tariffs; and competitive matters and to change the “Governance of Utility” item to “Mission Scope and

Responsibilities of Relevant Advisory Committees.” The amendment was accepted by the maker of the motion and Council Member Martinez, who made the second.

Mayor Leffingwell adjourned the meeting at 1:10 a.m. without objection.

The minutes were approved on this the 6th day of June 2013 on Council Member Spelman’s motion, Mayor Pro Tem Cole’s second on a 7-0 vote.